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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,162	02/03/2004	Jurgen Morton-Finger	22793	1883

S35 7590 11/16/2004

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EXAMINER

EDWARDS, NEWTON O

ART UNIT	PAPER NUMBER
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1774

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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Commissioner for Patents

Non-responsive Action.

N Edwards
Primary Examiner
Art Unit: 1774

Art Unit: 1774

1. The reply filed on remarks filed on 11/2/04 is not fully responsive to the prior Office Action because: Applicant has failed to make an election of a single disclosed species for the election of species requirement for claims 5, 6, and 7. According to the restriction requirement of 10/5/04, If group I is elected applicant must elect a single disclosed species for claims 5, 6, and 7. Select a single specie for claim 5. Select a single specie for claim 6. Select a single specie for claim 7. Turning to claim 5, it defines two polymer species in alternative for the second layer. Looking at claim 6, it defines 4 polymer species in alternative for the first or third layer. Looking at claim 7, it defines 8 polymer species for the other layer. Without Applicant's election the 3 layered monofilament of the claimed invention cannot be searched and the case will go abandon. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.